

and Anna Brown, and that Hale would not hesitate to kill the rest of Liza's children. A short time prior to his murder Smith had had a violent altercation with Hale relative to a \$6,000.00 indebtedness which Smith claimed was due him by Hale. Shortly after this altercation, on the night of March 10, 1923, the house of William E. Smith was blown up by having a five-gallon keg of nitro-glycerin exploded under it, blowing the home to atoms and killing Rita Smith, wife of W. E. Smith, and Nettie Brookshire, a white servant girl instantaneously, and horribly mangling the body of William E. Smith, who lived a few hours, however, and stated his belief that Hale had had him killed.

It was developed through investigation by Bureau agents that William K. Hale had hired John Ramsey and Asa "Ace" Kirby to murder William E. Smith and his wife and had subsequently paid Ramsey approximately \$1600.00 for performing the murder. These facts were proven by means of a confession obtained from John Ramsey himself, as well as the confession of Ernest Burkhardt, who pointed out Smith's house to Ramsey and Kirby, acting under instructions from Hale, and who sought out Ramsey on the day of this murder to inform him that William K. Hale and Henry Grammer, in order to allay suspicion, were going to Fort Worth, Texas, to a cattlemen's conference, and that William E. Smith and his wife should be murdered that night. It developed further that William K. Hale had attempted to hire the notorious outlaw, Al Spencer, to commit this murder, but Spencer refused, stating that while he had no compunction at robbing a train or blowing a safe and killing individuals in such an attempt, he had not sunk so low as to murder helpless individuals for money. After Spencer's refusal Hale attempted to hire "Blackie" Thompson, Dick Gregg, and his father, John Gregg, to murder William Smith and his family, all of whom refused.

William K. Hale became afraid that "Ace" Kirby, who participated in the murder of the Smith family as set out above and who actually placed the five-gallon can of nitro-glycerin under the Smith house and set it off, would make known Hale's connection with these murders, and accordingly persuaded Kirby to attempt the robbery of a grocery store near the Kansas-Oklahoma State line, assuring Kirby that the owner of the grocery store possessed certain valuable goods. The owner of the store was in turn informed of the exact hour of the contemplated robbery and as Kirby forced entrance into the grocery store through the window, greeted him with several loads of buckshot from a shotgun, thereby removing a witness who could have implicated Hale and his associates.



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In addition to the solution of the murders, themselves, Bureau agents discovered that Nellie Burkhart, full-blood Osage Indian wife of Ernest Burkhart, who alone remained between William Hale's nephew, Ernest Burkhart, and the fortune of the Lizzie Q. family, at the time the Government commenced its investigation of the case was dying from what was believed to be slow poisoning. It is an established fact that as soon as she was gotten out of the control of Burkhart and Hale she immediately regained her health and is living today.

In conducting investigations of these murders one Special Agent of the Federal Bureau of Investigation posed as an Indian medicine man in an undercover investigation, claiming to be in search of relatives who had moved to Oklahoma several years before. He made a lot of medicine around Fairfax, consisting mostly of sweetened water, and was taken in by the Indians, visited in their homes, attended their ceremonials, thereby gaining much useful information. Not only did the agent acting as a medicine man in actually dispensing the sweetened water to the Indians gain their confidence and cooperation, but he also served as an Indian medicine man in the inner circle and tribal councils, helping them to make plans for the administration of their tribal problems and government.

Another Special Agent of the Federal Bureau of Investigation, working undercover on this case, posed as an insurance salesman and actually sold life insurance of a legitimate character, thereby gaining entrance to the homes of influential citizens and gathering useful information, which the citizens refused to give to government agents openly because of their fear of William K. Hale. In connection with this sale of life insurance, of course, information about the personal habits and other types of information available to insurance companies would be obtained, and frequently this information would have a direct bearing on the different angles of the case under investigation. This agent contacted William K. Hale himself under his guise of an insurance salesman, and almost succeeded in selling him a policy.

Still another Special Agent of the Federal Bureau of Investigation played the part of a DJ in Texas cowboy, and established close association with many of Hale's intimates and employees, all of whom unknowingly contributed useful information. The agents of the Federal Bureau of Investigation who were working undercover on this case often met in remote

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and dangerous places in the Osage country, such as the woods previously known as a meeting place by Al Spencer and his outfit, Long, and Dead Man's Hill, where many murders and robberies had been plotted. Two agents of the Federal Bureau of Investigation, together with a lieutenant of the State Bureau of Criminal Identification of Oklahoma, upon one occasion sat up for two nights and days with a convict witness before obtaining a statement from him. The interesting incidents occurring in the investigation and the trial of the guilty parties involved in these murders are too numerous to mention.

Durt Larson whose "bonus" confession caused Bureau agents many hours of weary work, upon his release into custody of the agents, proved to be a glutton, who ate tenpence steak and French-fried potatoes three times a day. Upon his first visit to a cafeteria with agents, upon reaching the cashier he was found to have four pieces of pie and three pieces of cake upon his tray and complained of the fact that he had no room for a meat dish.

Dewey Sulph, a material Government witness, testified to the fact that he was hired by William K. Hale to murder Kelsey Morrison's wife. He was released from the Syracuse, Kansas, Jail to testify, and while being held at Guthrie, Oklahoma, with other material witnesses who had been transferred from the Kansas State Penitentiary, he was left in a jail cell of which all the bars were found to have been partly sawed. He showed his appreciation by breaking out the sawed bars and was subsequently located by Bureau agents clad only in his underclothing, attempting to hide in a barrel at a pressing shop at Pawhuska, Oklahoma, where he was having his suit pressed. He gave as his reason for the jail break that he intended calling on a lady friend, who, incidentally, was his ex-wife, Cecilia Bigheart, full-blood Osage woman.

On another occasion Sulph walked out on a drunken jailer, taking with him the jailer's pistol, and afterwards stole an automobile, in which he made his escape. He was recaptured by Bureau agents at a subsequent date and returned to testify at the trial of Hale. Dewey Sulph's next attempt to escape, after having been returned to the Arkansas State Penitentiary to complete a sentence there, resulted fatally for him.

While the trial was actually in progress a Bureau agent obtained information to the effect that Hale was receiving letters from a witness who had perjured himself at Hale's former trial. This agent searched Hale's cell and located in the backclothing two letters from the witness stating that he had perjured himself in Hale's behalf at the last trial and intended doing so again. This witness was subsequently sent to the State Penitentiary for life on a charge of murder, and the statements were introduced against Hale at his final trial.

An attorney for Hale located two tramps and carefully schooled them in helping prepare a defense for the trial of Hale. The alert agents

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of the Bureau discovered this situation, secured confessions from them, thereby prevented their appearance at the trial. Some witnesses actually testified voluntarily at the trial of Hale and Ramsey and received subsequent sentences because of their perjured testimony. Most noteworthy among them was P.C. Kester, who was given a sentence of two years in the Federal Penitentiary and fined \$100.00. Other friends and relatives of Hale were sentenced for being in contempt of court and for interfering with the legal progress of the court.

John Ramsey, upon his trial for murder, offered an alibi to the effect that he was not in Fairfax, Oklahoma, on the date of the murder for which he was being tried. Investigation by agents of the Bureau resulted in the production of the hotel register of an old Indian woman who had formerly operated a hotel at Fairfax, Oklahoma, reflecting that Ramsey was actually registered in this hotel on the day of the murder. This Indian woman, it developed, had been furnished whiskey by a lawyer presumably working in the interest of Hale, in an attempt to have her change her testimony. This lawyer was subsequently sentenced to eighteen months in a Federal Penitentiary for this action on his part.

Upon the successful conclusion of the cases against Hale and Ramsey and the other individuals involved in the murders, the Osage Indians, through their tribal council, passed resolutions, enrolled upon the records of the tribes, expressing their appreciation of the great service rendered by agents of the Federal Bureau of Investigation in breaking up the vicious murder ring which had been preying upon that tribe for years.

William K. Hale and John Ramsey were tried four times - twice in the Federal District Court at Guthrie, Oklahoma, once in the Federal District Court at Oklahoma City, Oklahoma, and once in the Federal District Court at Pawhuska, Oklahoma, resulting in their being convicted for the murder of Henry Roan and sentenced to life imprisonment in the Federal Penitentiary at Leavenworth, Kansas. These two convictions were in the Federal Court, due to the fact that the United States had jurisdiction over the actual place where Henry Roan was murdered. Other sentences imposed in the state courts for murders over which the United States had no jurisdiction were Ernest Parkhart, life imprisonment for his part in the murder of William E. Smith and Gully; Wilsy Morrison, life imprisonment for the murder of Anna Brown, while Bryan Parkhart, brother of Ernest Parkhart, turned state's evidence in state court and was never convicted.

It is interesting to note that upon the first trial of Hale and Ramsey the Federal District Court ruled that it had no jurisdiction over the case, only to be reversed by the Supreme Court of the United States within the comparatively short period of twenty-five days. From the second trial of Hale and Ramsey in the Federal Court at Guthrie a hung jury resulted. The case was retried at Oklahoma City in the Federal District Court at Oklahoma City, Oklahoma, and both Hale and Ramsey were

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8 convicted and given life sentences. Hale appealed and had his conviction
9 reversed upon the ground that the case had been tried in the wrong district
10 and his decision automatically reversed Ramsey's conviction also. Upon the
11 last trial Hale and Ramsey asked for a severance and were tried separately
12 in the Federal District Court at Pawhuska, Oklahoma, resulting in convictions
13 and sentences as set forth above.

14
15 One other interesting sidelight to these cases is the fact that
16 "Billie" Hale, the beautiful daughter of W. K. Hale, within a comparatively
17 short time after her father had been sent to the penitentiary, married a
18 wealthy full-blood Osage Indian, erected a home, and at present lives
19 within a few hundred yards from the spot where Anna Brown's murdered body
20 was found.
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P. O. Box 306
Butte, Montana
March 5, 1949

Director, FBI

ATTENTION CRIME RECORDS

Re: JOHN RAMSEY
CRIME ON INDIAN RESERVATION
(MURDER)

Dear Sir:

On March 2, 1949, HARLAN L. HILL, United States Probation Officer, Boise, Idaho, advised SA DAVID W. MURRAY at Boise, that he had that date directed a letter to WALTER K. URICH, Parole Executive, United States Board of Parole, Washington, D. C., relating to the above captioned individual who is presently paroled under HILL's supervision. HILL stated this letter requested URICH to confer with the Director concerning information appearing in the comic book entitled "STEVE SAUNDERS, Special Agent, FBI" for March, 1949. In connection with the information appearing in this comic book, HILL related the following:

RAMSEY served 21 years of a life sentence for his participation in the Osage Indian Murders in Oklahoma. He was paroled from the United States Penitentiary, Leavenworth, Kansas, some time ago and is presently living with a son at McCall, Idaho. His FBI number is 34165. Some time ago RAMSEY appeared at HILL's office in Boise with the March issue of the above mentioned comic book. He told HILL that a person living in McCall had called his attention to the fact that the name, JOHN RAMSEY, appeared in the picture story concerning the Osage Indian Murders. Since that time gossip in the small McCall community has plagued RAMSEY, who is 69 years old. His protest to HILL related to the use of his name in the story. HILL stated that the article reports the details of RAMSEY's participation in the Osage Indian Murders and infers that the story is based on an actual FBI case and indicates the characters in the story are authentic with the exception of STEVE SAUNDERS, Special Agent. HILL assumed the article had been prepared with the cooperation of the FBI.

HILL feels the net result of the article, especially since it names RAMSEY, has interfered with RAMSEY's parole adjustment. At present

DWM:PCL
AMSD

322

Director, FBI

March 5, 1949

Re: JOHN RAMSEY - CIR (MURDER)

RAMSEY wishes to leave McCall and locate elsewhere but does not have the funds to do so. RAMSEY told HILL he felt his debt to society had been partially paid and sees no reason why fictitious names were not used in the preparation of the article. HILL expressed the same sentiment and in his letter to his superior asked that attempts be made to consider the advisability of permitting articles for public consumption to use the real names of subject parties.

Attempts were made at Boise to secure the March issue of the aforementioned comic book with negative results. News stands are now featuring the May, 1949, issue of this publication.

The above is being furnished for information purposes inasmuch as it would appear there is a possibility the matter may be brought to the attention of Bureau officials by the Parole Executive of the United States Board of Parole.

Very truly yours,

W. G. BANISTER
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Federal Bureau of Investigation
United States Department of Justice

P. O. Box 306
Butte, Montana
March 5, 1949

Director, FBI

ATTENTION CRIME RECORDS

Re: JOHN RAMSEY
CRIME ON INDIAN RESERVATION,
(MURDER)

Dear Sir:

On March 2, 1949, HARLAN L. HILL, United States Probation Officer, Boise, Idaho, advised SA DAVID W. MURRAY at Boise that he had that date directed a letter to WALTER K. URICH, Parole Executive, United States Board of Parole, Washington, D. C., relating to the above captioned individual who is presently paroled under HILL's supervision. HILL stated this letter requested URICH to confer with the Director concerning information appearing in the comic book entitled "STEVE SAUNDERS, Special Agent, FBI" for March, 1949. In connection with the information appearing in this comic book, HILL related the following:

RAMSEY served 21 years of a life sentence for his participation in the Osage Indian Murders in Oklahoma. He was paroled from the United States Penitentiary, Leavenworth, Kansas, some time ago and is presently living with a son at McCall, Idaho. His FBI number is 34165. Some time ago RAMSEY appeared at HILL's office in Boise with the March issue of the above mentioned comic book. He told HILL that a person living in McCall had called his attention to the fact that the name, JOHN RAMSEY, appeared in the picture story concerning the Osage Indian Murders. Since that time gossip in the small McCall community has plagued RAMSEY, who is 69 years old. His protest to HILL related to the use of his name in the story. HILL stated that the article reports the details of RAMSEY's participation in the Osage Indian Murders and infers that the story is based on an actual FBI case and indicates the characters in the story are authentic with the exception of STEVE SAUNDERS, Special Agent. HILL assumed the article had been prepared with the cooperation of the FBI.

HILL feels the net result of the article, especially since it name RAMSEY, has interfered with RAMSEY's parole adjustment. At present



DWM:FCL
AMSD

RECORDED - 62
INDEXED - 62

19 MAR 16 1949

EX-22

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March 5, 1949

Director, FBI

Re: JOHN RAMSEY - CIR (MURDER)

RAMSEY wishes to leave McCall and locate elsewhere but does not have the funds to do so. RAMSEY told HILL he felt his debt to society had been partially paid and sees no reason why fictitious names were not used in the preparation of the article. HILL expressed the same sentiment and in his letter to his superior asked that attempts be made to consider the advisability of permitting articles for public consumption to use the real names of subject parties.

Attempts were made at Boise to secure the March issue of the aforementioned comic book with negative results. News stands are now featuring the May, 1949, issue of this publication.

The above is being furnished for information purposes inasmuch as it would appear there is a possibility the matter may be brought to the attention of Bureau officials by the Parole Executive of the United States Board of Parole.

Very truly yours,

W. G. Banister
W. G. BANISTER
S A C

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Office Memorandum • UNITED STATES GOVERNMENT

5 FRY:mb
 6 TO: MR. NICHOLS
 9 FROM: M. A. JONES
 11 SUBJECT: JOHN RAMSEY
 12 SUBJECT OF I.C. #62-5033

DATE: March 9, 1949

Mr. Tolson	
Mr. E. A. Tamm	
Mr. Clegg	
Mr. Glavin	
Mr. Ladd	
Mr. Nichols	
Mr. Rosen	
Mr. Tracy	
Mr. Carson	
Mr. Egan	
Mr. Gurnea	
Mr. Harbo	
Mr. Mohr	
Mr. Pennington	
Mr. Quinn Tamm	
Tele. Room	
Mr. Nease	
Miss Gandy	

14 The attached letter from Butte reflects that the U. S. Probation
 15 Officer at Boise, Idaho, has advised one of our Agents that he has
 16 directed a letter to Walter F. Urich, Parole Executive, U. S. Board of
 17 Parole, Washington, D. C., protesting use of John Ramsey's name in the
 18 comic book entitled "Steve Saunders, Special Agent" for March, 1949. This
 19 book, as you know, is published by Parents' Institute, Inc., which publishes
 20 "True Comics" with which we have cooperated for many months by furnishing
 21 I.C. material. The case involving Ramsey is that in which he was a codefendant
 22 with William K. Hale, charged with the Osage Indian murders. Both Hale and Ramsey
 23 were given life terms. In the I.C. memo John Ramsey is described as "a bootlegger,
 24 fifty year old typical rough type western criminal who had served a penitentiary
 25 term for rustling cattle, former member of the notorious Henry Grammer gang, actual
 26 murderer of William E. Smith, Rita Smith, Nettie Brookshire, and Henry Roan." In
 27 all about two dozen Osage Indians died under suspicious circumstances. It will be
 28 recalled that this case was one of those illustrated in the book published by the
 29 Editors of Look Magazine and Ramsey and Hale were identified by name in this
 30 volume.

31 The attached memo points out that Ramsey is 69 years old and told the
 32 Probation Officer that he felt his debt to society had been partially paid by his
 33 service of 21 years of his life sentence and that he sees no reason why fictitious
 34 names were not used in the preparation of the article. There appears to be no
 35 allegation of misstatements in the "True Comics" presentation of this case. In
 36 view of the wide publicity given this case in past years, Ramsey's prior criminal
 37 record, and the aggravated nature of his participation in the sordid crimes against
 38 the Osage Indians, it is not believed any special consideration should be given
 39 him.

41 Attachment

Vim von

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RECORDED - 62

INDEXED - 62

EX-22

62-5033-2
 11/17/49
 19 MAR 17 1949

63 APR 4 1949
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SAC, Oklahoma City

August 14, 1953

G.I.R.

Director, FBI

**WILLIAM K. HALE
OSAGE INDIAN MURDERS
RESEARCH (CRIME RECORDS)**

As you may recall, in the 1920's, William K. Hale and others were convicted in connection with the murder of various Osage Indians. As an expression of appreciation, the tribal council of the Osage Indians adopted resolutions commending Bureau Agents for their investigation in connection with these murders.

Bureau files do not contain copies of these resolutions but reflect that they are enrolled on the tribal records.

You are instructed to obtain, if possible, photographic copies of these resolutions and forward them to the Bureau under above caption not later than September 1, 1953.

RECEIVED
AUG 14 5 24 PM '53

RECORDED - 67

AUG 19 1953
38

Follow-up made September 1, 1953

LH:DS
AUG 14 1953
324

MAILED 9
AUG 17 1953
COMM - FBI

U.S. DEPT. OF JUSTICE
RECEIVED
AUG 14 1953

327

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

AIRTEL

Transmit the following Teletype message to:

FBI, OKLAHOMA CITY 8-28-53

DIRECTOR, FBI -- ATTENTION: CRIME RECORDS

WILLIAM K. HALE, OSAGE INDIAN MURDERS RESEARCH (CRIME RECORDS).

REBULET DATED AUGUST 14, 1953. INVESTIGATION AT OSAGE INDIAN
AGENCY, PAWUSKA, OKLA., REFLECTS THAT RESOLUTION COMMENDING
AGENTS T. B. WHITE, FRANK S. SMITH, JOHN L. BURGER, JOHN K. WREN
AND ALEX STREET, ALONG WITH SEVERAL OTHER INDIVIDUALS AND ATTORNEYS,
A MATTER OF RECORD. PHOTOSTATIC COPIES ARE BEING PREPARED AND WILL
BE RELEASED TO BUREAU UPON APPROVAL OF OSAGE INDIAN COUNCIL WHICH
MEETS SEPTEMBER 14, 1953. TRIBAL ATTORNEY DOES NOT DESIRE TO
RELEASE WITHOUT CONSENT OF TRIBAL COUNCIL BUT ADVISES COUNCIL WILL
APPROVE. UACB WILL OBTAIN PHOTOSTATS AFTER 14th AND FORWARD TO
BUREAU.

ELLSWORTH

70-748
GHE:vlb

Noted 9-1-53

62-5033-51
~~1-4-71~~
RECORDED - 28
AUG 31 1953
EX-126
Mr. [unclear]

Approved: _____ Sent _____ M Per _____

8 SEP 9 1953 Special Agent in Charge

3208

SAC, Oklahoma City

August 28, 1953

Director, FBI

C.I.R.-7

WILLIAM K. HALE, ET AL
OSAGE INDIAN MURDERS
RESEARCH (CRIME RECORDS)

As you may recall, Lizzie Q or Lizzie Kile was the mother of Mollie Burkhart, Rita Kile Smith, and Anna Brown, the latter two being victims in the murder plots. There is some indication in Bureau files that Lizzie Q had a fourth daughter, Minnie Kile, who was said to be married to one Bill Smith. Rita Kile Smith, at the time of her death, was the wife of W. E. (Bill) Smith, also a murder victim.

Anna Brown was murdered on May 22, 1921. Minnie Kile Smith died in early 1922. W. E. Smith and his wife, Rita Kile Smith, were killed in March, 1923.

Bureau files reflect that Anna Brown died intestate, her estate going to her mother Lizzie Q, her sisters Mollie Burkhart and Rita Kile Smith, and a half sister, Grace Sighart. There is no mention of Minnie Kile Smith as being one of her heirs.

The Bureau desires to know:

1. If Lizzie Q had a daughter named Minnie?
2. If the Bill Smith who was said to be married to Minnie was identical with the Bill Smith who was married to Rita Kile Smith?
3. What connection, if any, did Minnie's death have in the general scheme of the murderers to center the inheritance of Lizzie Q's family in the hands of Ernest Burkhart, Mollie's husband?

Some light may be shed on this problem by checking the marriage records of Osage County to determine when Smith married Rita Kile Smith.

The Bureau also desires general data concerning Osage County and its towns. This data will probably be readily available from the local Chamber of Commerce.

This material should be forwarded to the Bureau under above caption not later than September 3, 1953.

Follow-up made September 3, 1953.

83 SEP 23
SEP 15 1953
RECEIVED
RECORDED-52
3229

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

AIRTEL

Transmit the following ~~TELETYPE~~ message to:

FBI, OKLAHOMA CITY 9-3-53

DIRECTOR, FBI -- ATTENTION: CRIME RECORDS

WILLIAM K. HALE, OSAGE INDIAN MURDERS RESEARCH (CRIME RECORDS).

REURLET DATED AUG. 28, 1953, RECEIVED OKLA. CITY SEPT. 1, 1953.

NO AGENT AVAILABLE PAWHUSKA, OKLA., UNTIL SEPT. 4, 1953, AT WHICH

TIME INFORMATION DESIRED WILL BE OBTAINED AND FURNISHED BUREAU.

ELLSWORTH

GHE:vlb
70-748

Mr. Tolson	
Mr. E. A. Tamm	
Mr. Clegg	
Mr. Glavin	
Mr. Ladd	
Mr. Nichols	
Mr. Rosen	
Mr. Tracy	
Mr. Harbo	
Mr. Mohr	
Mr. Winterrowd	
Tele. Room	
Mr. Holloman	
Miss Gandy	

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Mail 9-9-53

RECORDED-108

62-5033-821
~~174-1111-4~~
31 SEP 10 1953

Approved: _____
SEP 16 1953 Special Agent in Charge

Sent _____ M Per _____

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Office Memorandum • UNITED STATES GOVERNMENT

DATE: September 8, 1953

TO : DIRECTOR, FBI
FROM : SAC, OKLAHOMA CITY (70-748)
SUBJECT: WILLIAM K. HALE, ET AL.
OSAGE INDIAN MURDERS
RESEARCH (CRIME RECORDS)

Rebuletts 8/14, 28/53

Through the cooperation of MR. T. B. HALL, Superintendent, Osage Indian Agency, Pawhuska, Oklahoma, photostatic copies of the resolutions commending Bureau agents and others for their investigation and subsequent prosecution of the above captioned murders were obtained prior to the meeting of the Osage Indian Tribal Council on September 14, 1953 and are being forwarded as enclosures.

LIZZIE Q. or LIZZIE KILE had a daughter named MINNIE. She was one of the four daughters, namely, MINNIE, MOLLIE, ANNA and RITA.

BILL SMITH was identical with W. E. (BILL) SMITH who was married to RITA KILE SMITH, both of whom were murdered in March, 1923.

LIZZIE Q (Osage allottee #282) was born in 1849. She was married to JIMMY NE-KAH-E-SEY (Osage allottee #281) who died March 18, 1913. They had four daughters, MINNIE (Osage allottee #295) who was born in 1890; MOLLIE (Osage allottee #296) born in 1887; ANNA (Osage allottee #258) born 1896; and RITA (Osage allottee #294) born in 1891.

MINNIE married BILL (W. E.) SMITH sometime about 1912 (exact date not reflected on records) and died in September, 1918. SMITH had formerly been married and had a daughter, ELIA ROGERS. The estate left by MINNIE was probated one half to LIZZIE Q., her mother and the other half to W. E. SMITH.

ANNA was murdered May 22, 1921 and her estate was probated to LIZZIE Q.

LIZZIE Q. died July 17, 1921 and her estate was divided between RITA KILE SMITH and MOLLIE BURKHART, each receiving one half share.

RITA KILE SMITH married W. E. (BILL) SMITH in 1920. SMITH had formerly been married to MINNIE and had inherited one half of her estate. At this time W. E. SMITH and RITA owned one half the estate of MINNIE and also one half the estate of LIZZIE Q. The other half of LIZZIE Q's estate was owned by MOLLIE BURKHART. According to the testimony taken while probating the estate of W. E. and RITA SMITH, they became worried and were of the opinion that someone

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CRIME RECORDS

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might attempt to murder them and without anyone's knowledge had an attorney draw a will, leaving one half their estate to ELLA ROGERS, daughter of W. E. SMITH, and the other half to GRACE BIGHEART, a half sister of RITA, less five dollars which they bequeathed to MOLLIE BURKHART, sister of RITA. This will was not common knowledge at the date of the explosion which resulted in the death of RITA on March 10, 1923 and SMITH'S death March 14, 1923. If the will had not existed MOLLIE BURKHART would have inherited all the estate of the SMITHS. After much litigation the court probated the will, giving ELLA ROGERS one half, MOLLIE BURKHART one sixth, the GRACE BIGHEART estate one sixth and JOHN BIGHEART JR., one sixth.

MOLLIE BURKHART died June 16, 1937.

The area that now constitutes Osage County was purchased in 1872 by the United States Government from the Cherokee Nation for use as a reservation for the Osage Tribe, and during that year the Osages moved onto their reservation. The transaction was not completed, however, until June 14, 1883, the date of the execution of the deed. The price paid was \$1,099,127.41, which is about 70 cents an acre. Some years later the bonuses and royalties from the oil leases on each of the many tracts of 160 acres within the reservation amounted to more than twice the purchase price of the entire reservation; and for a period of eight years beginning in 1920, the average annual income of each member of the Osage Tribe exceeded the original price of the reservation.

The Osage Indian Reservation was owned in common by the tribe for 34 years. Then, by an act of Congress approved June, 1906, the land included in the reservation was divided among the 2,229 members, each receiving an allotment of 657 acres. The coal, gas, oil and other minerals were reserved by this act to the Osage Tribe in common for a period of 25 years following April 8, 1906. This period of ownership in common has had several extensions, the last being by an act of Congress which advanced the date to April 8, 1933.

Osage County, the largest county in Oklahoma, containing an area of 1,470,059 acres, is in the northeastern part of the State adjoining the Kansas-Oklahoma line. The boundaries of this county coincide with those of the Osage Indian Reservation. It is 2298.6 square miles in size, which is more than twice as large in area as the entire State of Rhode Island and nearly 250 square miles larger than the State of Delaware.

At the present time it contains the following towns: Pahnuska, Pop. 6,500; Fairfax, pop. 2,300; Barnsdall, pop. 1,500; Hordley, pop. 2,300; Shidler, pop. 800; Osage, pop. 500; Avant, pop. 200; Wynona, pop. 200; Burbank, pop. 200; Webb City, pop. 200; and a portion of the county borders on the city limits of Tulsa, Oklahoma.

3232

and has several large housing developments.

At the time of the above captioned murders, the county was experiencing a boom in the exploration and development of the oil and gas fields and there were numerous towns and villages which are no longer in existence or are at the present time very small, consisting of Post Office, store and railroad station with loading pens for stock. The following towns were in existence at that time:

Apperson*	Avant	Barnsdall	Burbank
DeNoya *	Fairfax	Foraker	Crainola
Hominy	Nelagoney	Osage	Pawhuska
Shidler	Webb City	Wynona	Cooper *
Lyman *	Lep *	Bowring	Hulah *
Woolverine *	Bigheart *		

* Towns now nonexistent.

The county has several ranches containing over 10,000 acres and the raising of commercial beef cattle is a major agricultural industry. The oil production has fallen from the boom days but several of the older fields are being water flooded and the recovery of oil by this method will amount to as much oil as was originally taken from the various pools. The North Burbank pool in the Naval Reserve lease is expected to produce 75 million more barrels during the next twenty years.

There is enclosed with the photostatic copies of the above mentioned resolution, various material obtained from the Pawhuska Chamber of Commerce concerning Pawhuska and Osage County.

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

To: COMMUNICATIONS SECTION.

SEPTEMBER 14, 1953

Transmit the following message to: SAC, OKLAHOMA CITY

AIR-TEL

RECORDED - 79

~~70-11471-1~~
62-5033-822

WILLIAM R. HALE, ET AL, OSAGE INDIAN MURDERS, RESEARCH (CRIME RECORDS). REUBLYT SEPTEMBER EIGHT LAST. REFERENCED LETTER

LISTS ALL TOWNS WHICH WERE IN EXISTENCE AT THE TIME OF THE MURDERS DESIGNATING BETWEEN THOSE WHICH ARE NOW IN EXISTENCE AND THOSE WHICH ARE NOT. NO MENTION IS MADE OF GRAY HORSE OR GRAYHORSE, A TOWN WHICH WAS VERY INTIMATELY CONNECTED WITH THE STORY OF THE MURDERS. THE BUREAU DESIRES YOU TO IMMEDIATELY ADVISE BY AIR-TEL THE STATUS OF THIS TOWN AND ITS CORRECT SPELLING.

HOOVER

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VIA _____ M Per _____

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FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Mr. Tolson
Mr. Boardman
Mr. Nichols
Mr. Rosen
Mr. Clegg
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Harbo
Mr. Mohr
Mr. Winterrowd
Tele. Room
Mr. Holloman
Miss Gandy

gives

AIRTEL

Transmit the following Teletype message to:

FBI OKLAHOMA CITY

9/18/53

GHE:PM

DIRECTOR

WILLIAM K. HALE, ET AL, OSAGE INDIAN MURDERS, RESEARCH (CRIME RECORDS).

REBUAIRTEL 9/14/53. PROPER SPELLING OF GRAY HORSE IS TWO WORDS.

GRAY HORSE WAS AN INDIAN COMMUNITY APPROXIMATELY SIX MILES SOUTHEAST OF FAIRFAX, OKLAHOMA, AT TIME OF MURDERS. IT WAS A CROSSROADS WHICH HAD ONE STORE THAT HAD FORMERLY BEEN AN INDIAN TRADING POST IN THE EARLY DAYS, AND FOUR OR FIVE HOUSES. THERE HAS BEEN NO STORE THERE FOR ABOUT TEN YEARS, BUT THE COMMUNITY IS STILL KNOWN AS GRAY HORSE.

ELLSWORTH

70-748

NOTED 9-21-53

RECORDED - 22

62-5033-823

34 SEP 21 1953

Mr. Nichols
Mr. Rosen

63 SEP 28 1953

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

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Date of Removal 10-21-54

Recd
Letter
Enclosure ✓

Office Memo.

submitted by

Dated 8-4-54

has been removed for Mr. Lunsford

to be sent to Attached to a memo going
to the Director's office

Subject Osage Indian Murder Case

Synopsis

This is to be removed from file upon the return of the item and forwarded to the Coordinator of Mail and Files

Removed by *[Signature]*

Date Request Received

File Number 62-5033-924

3230

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Nichols *MN*

DATE: August 4, 1954

FROM : H. A. Jones

SUBJECT: OSAGE INDIANS MURDER CASES

Mr. Tolson	
Mr. E. A. Tamm	
Mr. Clegg	
Mr. Glavin	
Mr. Ladd	
Mr. Nichols	
Mr. Rosen	
Mr. Tracy	
Mr. Harbo	
Mr. Mohr	
Mr. Winterrowd	
Tele. Room	
Mr. Holloman	
Miss Gandy	

Attached is a six-page memorandum concerning the Osage Indian murder cases which you requested. Emphases have been placed on the dramatical highlights of the Bureau's investigation in these cases.

W

Attachment

LEG:djg

100-5033-524

RECORDED-48

SEP 14 1954

EX-125

H. A. Jones
memorandum
9-10-54
JJM

8-11-54
[Signature]

~~SEP 23 1954~~ 2 DEC 1 1954

3237

August 4, 1954

OSAGE INDIAN MURDER CASES

The investigation of the brutal Osage Indian murder which occurred in the early twentieth century was one of the most complicated and difficult investigations ever conducted by the FBI. Just prior to initiation of the FBI's investigation, nearly two dozen Osage Indians died under suspicious circumstances. The entire Osage Indian tribe, as well as the white citizens of Osage County, Oklahoma, were horror-stricken and in fear for their lives.

The tribal council passed a resolution requesting the aid of the Federal Government in solving these murders, and the FBI's investigative machine went into action.

In June, 1906, the Federal Government enacted a law under which the 2,229 members of the Osage tribe were to receive an equal number of shares known as head rights. The Osage Indian Reservation, which is identical with Osage County, Oklahoma, consists of a million and a half acres of Indian allotted land. An Osage Indian born after passage of this act would inherit only his proportionate share of his ancestor's head rights. Oil was later discovered on the Osage reservation, and overnight the Osage tribe became the wealthiest people per capita in the world.

Among the many adventurous prospectors and other white men who drifted into the Osage territory was a man whose desire for riches and power was devoid of scruple - William K. Hale, later dubbed "King of the Osage," who was a cowpuncher from Texas. He became immensely wealthy through his dealing with the Osage Indians and eventually became a millionaire. Hale's nephews, Ernest and Bryan Burkhart, who either came with Hale to Osage or joined him later, were employed by Hale and completely dominated by him.

Lizzie Q, otherwise known as Lizzie Kile, was an Osage squaw who in 1920 was already old and in poor health. Lizzie Q's estate approximated \$200,000. She had three daughters, Anna, Mollie and Rita. Anna was a notorious character who had had several affairs with white men from time to time, and she was formerly married to one Odie Brown. In 1920 Anna's estate approximated \$100,000. Anna had been somewhat intimate with at least one of the Burkhart boys but apparently she was too notorious for even the Burkharts to contract a formal marriage; however, Anna had money and the stake was large. Rita married one William E. Smith, a white man, with whom she lived up to the time of her death. Mollie became the wife of Ernest Burkhart, Hale's nephew. Mollie appears to have been the intended means of drawing to Hale, through the Burkharts, the assets of the entire family.

62-5033-824
ENCLOSURE

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6 In 1920 Lizzie Q, the aged mother, was brought to Ernest
7 Burkhardt's home where she lived with her daughter Mollie and her son-
8 in-law. She was the second of the family taken directly under the
9 wing of Hale in the general scheme. Early in 1921 Lizzie Q developed
10 a malady which very evidently would result in her death. She had
11 induced to make a will, leaving the bulk of her estate to Ernest
12 Burkhardt's wife and children. But there were even higher stakes to be
13 won. If the old woman should outlive Anna Brown, then, under the law
14 of the State, Lizzie Q's fortune would be increased by half of Anna
15 Brown's estate. However, if Anna should outlive her mother, the greater
16 part of her fortune would be diverted to collaterals.

17
18 On May 27, 1921, a hunting party found the body of Anna Brown
19 in a ravine about three miles from Fairfax, Oklahoma. She had apparently
20 been dead for five or six days, and a bullet hole was discovered in the
21 back of her badly decomposed and swollen head.

22
23 At Anna's death the estate of Lizzie Q was augmented by half
24 of Anna's estate. The next expected happening occurred two months after
25 Anna Brown's death when Lizzie Q passed away at the home of her daughter,
26 Mollie Burkhardt, the wife of Ernest Burkhardt. Lizzie Q's estate plus
27 half of Anna Brown's estate therefore passed in bulk to the Burkharths.

28
29 After Anna Brown's death, an investigation was immediately
30 started and her brother-in-law, William E. Smith, was the most active
31 member of the family in pursuing the investigation. Both he and his
32 wife were very outspoken in their belief that W. K. Hale and his
33 nephews were responsible for the murder. Bryan Burkhardt was arrested
34 and charged with the murder of Anna Brown in the state courts; however,
35 he was acquitted.

36
37 Anna Brown had a cousin, a picturesque full-blooded Osage
38 Indian named Henry Roan. In January, 1923, Roan was living with his
39 wife Mary, also a full-blooded Osage, and their children at Fairfax,
40 Oklahoma. On February 6, 1923, an Indian boy found an automobile in a
41 rocky swale a few miles northwest of Fairfax. On the front seat was
42 the body of Henry Roan--a bullet hole in his head.

43
44 Shortly after Roan's death, Hale presented for payment a
45 \$25,000 insurance policy on the life of Henry Roan.

46
47 William E. Smith, the husband of Rita and the brother-in-law
48 of Anna Brown, was living in a comfortable home with his wife and a
49 white servant girl named Nettie Brookshire. Smith had continued his
50 active investigation of the murder of Anna Brown and had a bitter
51 altercation with Hale, due not only to his letting it be known that he
52 had evidence involving Hale in the murder of Anna, but also because he
53 demanded that Hale pay him \$6,000 he allegedly owed him. On March 10,
54 1923, less than two months after Henry Roan's body was found, Smith's
55 home at Fairfax was demolished by an explosion. His wife, Rita, and
56 their 17-year-old white servant, Nettie Brookshire, were killed instantly.

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6 their bodies being blown asunder. Smith himself was rescued from the
7 debris and lingered for about four days when he died. Before he passed
8 away he made a dying declaration that the only enemies he had in the
9 world whom he could suspect of blowing up his home were Hale and the
10 Burkharths.

11
12 After the passing of Rita Smith, the only member of Lizzie Q's
13 family remaining was Mollie Burkhart, Ernest's wife. In addition to
14 wiping out Smith's \$6,000 claim against Hale and eliminating a man
15 anxious to see the Hale-Burkhart faction brought to justice, this triple
16 murder was calculated to further enrich the Ernest Burkhart family by
17 approximately \$150,000 from the estate of Rita Smith, since Mollie
18 Burkhart was Rita's only surviving sister. However, this had been cir-
19 cumvented by a joint will made by Rita and her husband under which the
20 survivor of the two was to acquire the estate of the first to die.
21 Since Smith survived Rita by approximately four days all of the property
22 passed to him and, at his death, to a daughter of Smith's by a former
23 marriage, a girl living in Arkansas unknown to Hale and the Burkharths.

24
25 The FBI entered the investigation of these brutal murders in
26 1923 and spent years of painstaking investigation in unraveling the
27 mystery and gathering from all parts of the country the necessary
28 evidence to convict the guilty parties. Special Agents, carefully
29 selected because of their knowledge of Indian and frontier life, drove
30 thousands of miles through the oil fields day and night in the heat,
31 cold, rain, snow and mud in running out innumerable leads, many of
32 which were designed to confuse them and throw them off the trail of
33 the true perpetrators.

34
35 Private detectives, many of whom were hired by the murderers
36 themselves to frustrate the investigation, had spent many months on
37 the cases, interviewing numerous persons many times.

38
39 To overcome some of the obstacles with which they were faced,
40 some of the Agents assumed undercover capacities including an insurance
41 salesman, an Indian "medicine man," a cattleman, a prospector and a
42 plain Texas cowboy. The lives of the Agents investigating these
43 murders were constantly in danger since the area abounded with robbers
44 and killers.

45 FBI investigations revealed that William K. Hale, a millionaire
46 rancher, was the mastermind behind the murders which were further
47 designed to augment his wealth.

48
49 Investigations revealed that on the night of her murder,
50 Anna had been plied with liquor by Kelsey Morrison, a neat-appearing
51 white man of very bad reputation, and Bryan Burkhart, who were accompanied
52 by Morrison's Osage wife. They drove by the ranch house of William K.
53 Hale who gave Morrison a .32 caliber automatic pistol to kill Anna.
54 From Hale's house the party drove to within a few hundred feet of where
55 the body was later found, and while Bryan Burkhart held the drunken Anna,
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5 Morrison shot her through the back of the head. Morrison later confessed
7 that he had murdered Anna at the instigation of Hale. Morrison testified
9 to these facts at Hale's trial and was corroborated by his wife and a
11 bootlegger who stated from the witness stand that he saw Anna
13 murdered while delivering whisky ordered by Morrison and Burkhardt.

12 Agents learned that Hale had hired John Ramsey, a 50-year-old
14 bootlegger and typical rough type western criminal, to murder Henry Roan.
16 Hale bought Ramsey a \$500 Ford car prior to the Roan murder as part pay-
18 ment for the deed and paid him \$1,000 in cash after the murder had been
20 committed.

21 John Ramsey did not even know Roan's name when he murdered
23 him but had simply had Roan pointed out to him on the streets of
25 Fairfax, Oklahoma, as the Indian Hale wanted killed. Ramsey made
27 friends with Roan through Roan's fondness for whisky and took him out
29 on several occasions, ostensibly to furnish him liquor but in reality
31 to murder him. Upon each occasion, Ramsey lost his nerve, but on
33 January 26, 1923, he persuaded Roan to drive to the bottom of a canyon.
35 Here he shot Roan through the back of the head with a .45 caliber
37 pistol. Hale later expressed anger that Ramsey had shot Roan in the
39 back of the head since it had been planned to make it appear that Roan
41 committed suicide. Hale was a self-appointed pallbearer at Roan's
43 funeral, and Ramsey, upon viewing the body, pretended to be deeply
45 affected.

46 The facts surrounding the murder of Roan were corroborated
48 by the confessions of Ramsey and Ernest Burkhardt who was present at
50 all negotiations relative to the murder.

51 Investigation revealed that Hale hired John Ramsey and
53 Asa "Ace" Kirby to murder William E. Smith and his wife. Ernest
55 Burkhardt, acting under instructions from his uncle, pointed out Smith's
57 house to Ramsey and Kirby and sought Ramsey out to tell him when the
59 Smiths should be murdered.

60 Agents learned that a five-gallon keg of nitroglycerin had
62 been placed under the Smith residence and ignited.

63 Agents also learned that Hale had attempted to hire Al
65 Spencer, the notorious outlaw, to kill the Smiths, but Spencer declined,
67 saying that he had no compunction at robbing a train or blowing a
69 safe and killing individuals in the course of such crimes, but he
71 had not sunk so low as to murder helpless individuals for money.
73 After Spencer's refusal, Hale attempted to hire other criminals to
75 murder William Smith and his wife, but all refused.

76 After the Smith massacre, Hale became afraid that Kirby
78 would make known Hale's connection with the murders. Accordingly,
80 he persuaded Kirby to attempt the robbery of a grocery store where the

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6 would allegedly find valuable gems. The owner of the store was in
7 turn informed of the exact hour of the contemplated robbery, and as
8 Kirby forced entrance into the store through a window, he was
9 with several shotgun blasts resulting in his death. Thus, another
10 witness who could have implicated Hale and his associates was removed.

11
12 Ernest Burkhardt proved to be the weak link in the Hale
13 organization and was the first to confess. Burkhardt was a weak-
14 willed individual completely dominated by Hale and would not hesitate
15 to do anything his uncle desired. When John Ramsey learned how much
16 evidence the FBI Agents had compiled, he too made a complete confession
17 of his part in the murders.
18

19 In addition to the solution of the murders, Agents discovered
20 that Mollie Burkhardt, Ernest's fullblooded Osage wife, was dying from
21 what was believed to be slow poisoning. It is an established fact
22 that when she was removed from the control of Burkhardt and Hale, she
23 immediately regained her health. At Mollie's death, Ernest Burkhardt,
24 Hale's nephew, would have acquired the entire fortune of the Lizzie
25 family.
26

27 Hale's lawyers employed every device, legal and illegal,
28 to obtain their clients freedom. Defense witnesses committed
29 perjury, and many of the prosecution's witnesses were intimidated
30 and threatened. Many individuals subsequently received sentences
31 for their perjury as a result of FBI investigations.
32

33 William K. Hale and John Ramsey were tried four times -
34 twice in the Federal District Court at Guthrie, Oklahoma, once in
35 the Federal District Court at Oklahoma City, Oklahoma, and once
36 in the Federal District Court at Pawhuska, Oklahoma. They were
37 convicted and sentenced to life imprisonment in the Federal
38 Penitentiary at Leavenworth, Kansas, for the murder of Henry Roan.
39 The United States had jurisdiction only over the place where Henry
40 Roan was murdered.
41

42 Other sentences were imposed in the state courts for murders
43 over which the United States had no jurisdiction. Ernest Burkhardt
44 received life imprisonment for his part in the murder of William E.
45 Smith and family. Kelsey Morrison was given life imprisonment for
46 the murder of Anna Brown. Bryan Burkhardt turned state's evidence
47 in state court and was never convicted.
48

49 Information obtained by an FBI Agent indicated that in
50 connection with the mysterious deaths of a large number of Indians,
51 the perpetrators of the crime would get an Indian drunk, have a
52 doctor examine him, pronounce him intoxicated and give him a
53 hypodermic injection of morphine. After the doctor departed, the
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11 gang members would inject an enormous amount of morphine under the
12 armpit of the drunken Indian which would result in his death. The
13 doctor's certificate would subsequently read, "Death from alcoholic
14 poisoning."

15
16 This case established the need for a pioneering effort
17 signed to bring to law enforcement all the scientific aids which in
18 later years have been of so much assistance to the FBI in its
19 investigations.

20
21 In the so-called autopsy, for example, of Anna Brown's body,
22 which was discovered five or six days after her death on May 27, 1921,
23 it was reported that no bullet was discovered. Similarly, no evidence
24 was preserved in many of the other deaths prior to the FBI's entry
25 into the case.

26
27 The case along with others pointed to the need of applying
28 science to crime detection which was accomplished with the establishment
29 of the FBI Laboratory in 1932.

30
31 Upon the successful conclusion of the cases against Hale
32 and Ramsey and the other individuals involved in the murders, the
33 Osage Indians, through their tribal council, passed resolutions
34 which are enrolled on the records of the tribe. These resolutions
35 express appreciation for the great service rendered by Agents of
36 the Federal Bureau of Investigation in breaking up the vicious
37 murder ring which had been preying upon the Osage tribe for years.
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Office Memorandum • UNITED STATES GOVERNMENT

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TO : Mr. Jones ✓

DATE: September 10, 1954

FROM : L. B. Nichols

SUBJECT: OSAGE INDIAN MURDER CASES

Tolson	
Boardman	
Belmont	
Mohr	
Parsons	
Quinn Tamm	
Nease	
Winterrowd	
Tele. Room	
Holloman	
Gandy	

With reference to your memoranda of August 4 and 10, 1954, concerning the Osage Indian Murder Cases, it is noted that some of the principal subjects are out of jail and still alive. In the event this material is used, Mr. Tolson has expressed the view that very careful consideration must be given to utilizing actual names of any principals or so identifying them in any way that we may be subjected to a libel suit by the principals. We should keep this in mind in the event any articles or motion picture films are made on this case.

JJM:ptm

Handwritten signature/initials

Handwritten initials

RECORDED-48

62-5033-825

9 SEP 14 1954

INDEXED-42

EX-125

SEP 22 1954

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Date of Removal 10-21-54

Office Memo -

Letter
Enclosure ✓

submitted by

Dated 8-10-54

has been removed for Mr. [Signature]

to be sent to attached to a memo to Director

Subject Usage Indian Murder Case

Synopsis Wm. K. Hale

This is to be removed from file upon the return of the iteg and forwarded to the Coordinator of Mail and Files

Removed by [Signature]

Date Request Received

File Number 62-5033-876

3245

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Nichols

DATE: August 10, 1954

FROM : K. E. Jones

SUBJECT: OSAGE INDIAN MURDER CASES

William R. Hale

You requested additional information regarding scientific crime detection and status of principal subjects to supplement a six-page memorandum dated August 4, 1954, on this subject. Accordingly, the attached is submitted.

Attachment

LEG:imz

RECORDED - 56

13 SEP 28 1954

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~~71 SEP 30 1954~~

EX - 107

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EXAMINATION OF EVIDENCE

Anna Brown's body was discovered on May 27, 1921. It was concluded that she had been dead five or six days. The so-called autopsy was performed by local doctors and the burial was by a local undertaker. The doctors and the undertaker were allegedly tied in with the Osage outlaws. It was denied that a bullet was ever discovered by these individuals.

Henry Roan's body was located February 6, 1923. Officers surmised that he had been dead approximately ten days. A local inquest was held but no pertinent evidence was developed.

The Smith massacre occurred on March 10, 1923. A chemist from Oklahoma A. & M. was called in to conduct an examination of the Smith premises. This investigation concluded that a large quantity of TNT or nitroglycerin had been placed under the house. This information later proved of value when questioning suspects.

The Osage Tribal Council in March, 1923, requested the services of the Department of Justice in this matter. The FBI, then called the Bureau of Investigation, entered the case after it was determined that the United States had jurisdiction over the place where Henry Roan was killed.

This case and similar cases demonstrated the need for scientific aids in crime detection which led to the establishment of the FBI Laboratory in 1932.

62-50 33-824

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STATUS OF PRINCIPAL SUBJECTS

William K. Hale, John Ramsey, Ernest Burkhardt and Kelsey Morrison each received sentences of life imprisonment either in Federal or state courts for their participation in the Osage Indian murders. Available information indicates the following:

Hale was paroled in July, 1947. He was fingerprinted in Phoenix, Arizona in August, 1952, during a convict registration.

John Ramsey was paroled from the United States Penitentiary, Leavenworth, Kansas, in November, 1947, after which he began residing with a son in Idaho. In 1949, he complained to his probation officer because his name had been used in a comic book entitled "Steve Saunders, Special Agent" which was published by True Comics.

Kelsey Morrison was paroled in 1931. Subsequently, he was convicted for violation of the National Prohibition Act and received a four-year sentence. In 1936, he was conditionally released from prison, and in May, 1937, he was killed in a gun battle with police officers in Fairfax, Oklahoma.

Ernest Burkhardt was confined to the Oklahoma State Penitentiary in McAlester, Oklahoma, from which he was paroled in 1937. In April, 1941, charged with theft in Federal District Court, Northern District of Oklahoma, he was sentenced to serve seven years at the Federal Penitentiary, Atlanta, Georgia. He was conditionally released in August, 1946.

62-5033-806

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TO : Mr. Nichols

DATE: October 21, 1954

FROM : E. A. Jones

SUBJECT: THOMAS B. WHITE, SR.
FORMER SPECIAL AGENT
CHAIRMAN, BOARD OF PARDONS AND PAROLES
AUSTIN, TEXAS

Osage Indian Cases

As you requested, this is a summary of pertinent information concerning Thomas B. White, Sr. In a letter to the Director dated September 3, 1954, White indicated that he expected to attend the American Prison Association Convention in Philadelphia, Pennsylvania, which will be held from October 22, through October 29, 1954. White stated that he hoped to stop by and see the Director after the convention on his return trip to Texas. By letter dated September 9, 1954, the Director wrote White that he looked forward to seeing him in Washington in October. In response to White's query about the story of the Osage Indian murder cases being filmed and his offer to afford information about the cases, the Director wrote that he had no knowledge that a definite decision had been reached to make such a film but that he would bear White in mind if definite plans concerning the picture should be called to his attention. In the event that the Director should care to review the facts in this case, memoranda concerning the case and the present status of the principal subjects of the Osage Indian murder case are attached.

White EOD with the Bureau as a Special Agent on August 13, 1917, when he was thirty-six years of age, and resigned March 6, 1927, at which time he was acting as Warden at the United States Penitentiary at Leavenworth, Kansas. His record of service with the Bureau was good, and he has been very cooperative with Bureau Agents since his resignation. White has had extensive experience as a prison warden, and on March 1, 1951, he retired from the position as warden of the Federal Correctional Institute at La Tuna, Texas. At the present time, Mr. White is chairman of the Board of Pardons and Paroles, State of Texas, Austin, Texas. His son, Thomas Bruce White, Jr., is

Attachments (2)

cc - Mr. Holloman

JPL: pac

RECORDED - 3

EX-130

62-5033-821

OCT 27 1954

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Memo to Mr. Nichols

October 21, 1954

Special Agent assigned to the El Paso Division, having entered on duty as an Agent on November 6, 1939. Bufiles reflect a great deal of very cordial correspondence with White, and since his retirement his relationship with the Bureau has been most favorable. (67-1712, 94-4-6190, 67-123849)

RECOMMENDATION:

That if the Director's commitments allow, he see Mr. White on the occasion of his contemplated visit to the Bureau after the convention of the American Prison Association on October 29, 1954.

"OK." HOOVER.

3250

FBI

Date: 4/14/56

Transmit the following message via AIR TEL

AIR MAIL

(Priority or Method of Mailing)

From SAC, Phoenix

To: Director, FBI and SAC, Butte

PERSONAL ATTENTION
MR. L. B. NICHOLS,
Assistant to the Director

WILLIAM KING HALE
MISC. - INFORMATION CONCERNING

Re Buphonecall, 4/13/56. *WTC 5/2/56*

Phoenix PD record C 2120 reflects registration of WILLIAM KING HALE as ex-convict in 1952, he having served time for murder in Leavenworth Penitentiary. HALE was described as 78 years in 1952, born Greenville, Texas. His address in 1953 was shown as 120 East Ocotillo Road, Phoenix, which is the residence of MAX A. COHEN, oilman.

~~Pretext call to mail at COHEN residence determined HALE, now 80 years of age and in good health, presently residing 400 Hubbell Street, Miles City, Montana, c/o ROY DERENBERGER.~~

For information Butte, Assistant to the Director NICHOLS requested very discreet determination of whereabouts and the general activities of HALE who was one of ringleaders in the Osage Indian Cases, investigated by the Bureau in the 1920's. BUTTE discreetly confirm HALE's whereabouts and determine in general what he is doing now and advise Bureau by airtel addressed to the personal attention of Mr. NICHOLS.

RECORDED
CROSBY

62-6033-829

III - SE 43

- 3 - Bureau
- 2 - Butte
- 1 - Phoenix (80-0)

EJVL/bje
(6)

File 4
JFM
cc attached
4/27/56
JFM 4-23-56

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

58 MAY 1 1956

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FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Mr. Tolson
Mr. Boardman
Mr. Belmont
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Harbo
Mr. Mohr
Mr. Winterrowd
Tele. Room
Mr. Holloman
Miss Gandy

AIRTEL

Transmit the following ~~Teletype~~ message to: BUREAU 6/5/56

TO: DIRECTOR, FBI

FROM: SAC, BUTTE

PERSONAL ATTENTION
Mr. L. B. NICHOLS,
Assistant to the Director

WILLIAM KING HALE
INFORMATION CONCERNING

Re Phoenix airtel to Bureau and Butte, 4/14/56.

RALPH W. LOOP, United States Commissioner and Police Judge, Miles City, Montana, on May 2, 1956, advised SA DANIEL A. CURNAN that he is acquainted with WILLIAM KING HALE, wa, Billy Hale, the subject of the Bureau case once recounted in a detective magazine as the "FBI's Strangest Case". LOOP said that he was reared in the vicinity of Carnegie, Oklahoma, near the place where HALE operated and that he on occasions has discussed old times in the State of Oklahoma with HALE. LOOP said that HALE arrived in Miles City, Montana area about four to five years ago and was first employed on a ranch owned by BENNY BINION, now a Federal prisoner as a result of conviction for Federal income tax evasion. This ranch is located north of Jordan, Montana, in Garfield County. HALE was employed for about one year on this ranch.

After termination of this employment, HALE worked as a dishwasher in the Range Riders' Bar and Cafe, Miles City, Montana, owned and operated by DOLA N. WILSON. LOOP advised that HALE was periodically employed at this establishment until the fall of 1955, during which time HALE was a fellow employee of PAUL DAVIS, whom LOOP describes as a former prison mate of HALE at the U. S. Penitentiary, Leavenworth, Kansas, having been convicted of the crime of murder. DAVIS is presently employed at the Red Rock Village, a motor-restaurant-drive inn combination east of Miles City.

LOOP, employed as a real estate salesman for Hatch Real Estate Agency, Miles City, Montana, said that HALE has attempted to persuade some wealthy persons from around Kansas City,

Bureau
Phoenix (80-0)
Butte, (62-1179)

Mr. Nichols

SE 43
RECORDED - 15

TRANSMIT VIA AIR MAIL

DAC:rc

Approved: *T.H. Helm*

Special Agent in Charge

Sent _____ M Per _____

JUN 20 1956

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TO: DIRECTOR, FBI

RE: WILLIAM KING HALE 6/5/56
INFORMATION CONCERNING

FROM: SAC, BUTTE

Missouri, to purchase a ranch in the vicinity of Miles City, Montana, but was unsuccessful.

LOOP said HALE lives with a family by the name of DEREMBURGER in Miles City with whom he apparently became acquainted while working on the BINION ranch, as some members of the DEREMBURGER family reside in the vicinity of Jordan, Montana.

Mrs. ROY WATSON, 815 North 5th Street, Miles City, Montana, on May 8, 1956, advised SA CURNAN that HALE lives with ROY DEREMBURGER and family at 400 Hubbel Street, Miles City. Mrs. WATSON said that ROY DEREMBURGER presently is employed at the U. S. Range Livestock Experimental Station, Fort Keogh, Miles City, Montana. WATSON said that HALE occasionally takes trips to the State of Texas accompanied by Mrs. ROY DEREMBURGER.

On May 18, 1956, CHARLES WILSON, bartender, Range Riders' Bar and Cafe, son of DOLA N. WILSON, advised that the employment records of his establishment reflect that BILLY HALE, SSN 516-40-2273, began his employment as a dishwasher on April 1, 1954, and terminated his employment on December 15, 1955. CHARLES WILSON advised that the records indicate that HALE was periodically employed during this time.

The Butte Division will immediately furnish to the Bureau any pertinent information concerning the activities of HALE.

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Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Nichols

DATE: November 28, 1956

FROM : W. B. Jones

SUBJECT: William K. Hale

There are attached excerpts concerning the above-captioned case taken from "The FBI Story, A Report to the People," by Don Whitehead published by Random House, 1956. These excerpts are from page(s) 113-118, 336 of the book.

The full text of the book may be found in the FBI Library.

Enclosure

ENCLOSURE

NOT RECORDED

5 MAR 11 1957

66 MAR 12 1957

CRIMINAL REC

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BANKER WILLIAM K. HALE returned from the annual Texas Fat Cattle Show to find his home town of Fairfax, Oklahoma, gripped by excitement . . . and fear.

As he walked up Main Street from the railway station, his friends stopped him to tell him the news. Their stories were confused, but he gathered that while he was in Fort Worth, an explosion had literally rocked the town. A few people who happened to be up and about at three o'clock that morning had seen a sheet of flames engulf the Bill Smith home—and then came the blast that ripped the big house apart.

"Killed Rita and the maid and Bill's dying . . . blew 'em to hell and gone . . . not much left of the house but a pile of kindlin' wood." Some people recalled hearing an automobile race through the town a few minutes before the explosion. No one could describe the car or driver.

Despite the confusion, Hale knew what it was. It was murder. The banker stopped to talk with his friend, the mayor, and discuss the terrible thing that had happened.

Hale left the mayor's office and walked on up the street, thinking of Bill Smith. He had known Bill and his wife, Rita, for years. They had lived out in the country until recently, when they decided to move into town. Rita's sister, Mollie, was married to one of Hale's nephews. So there really was a distant family relationship.

Banker Hale still had the Smith murders on his mind a few days later when he sent for Asa Kirby, who frequently did odd jobs for him. The two men talked for a while and then Kirby left the Hale house.

Later, Hale strolled downtown. He entered one of the Main Street stores and chatted confidentially with the proprietor. There was talk around town that the storekeeper had a valuable collection of diamonds in his safe.

That night the merchant didn't go home. He locked himself in the store and waited with a shotgun in his hands. It was about 2:30 A.M. when he heard the rear window of the store being pried open. And then a dark figure was framed in the window.

The shotgun roared, blasting "Ace" Kirby out of the window, mortally wounded. Dead men tell no tales—and Kirby would never be able to name the man who had paid him and a companion to blow up the home of Bill Smith.

That was Osage County, Oklahoma, in March, 1923, a dark and bloody hunting ground if ever there was one; and the craftiest hunter

Page 113 of "The FBI Story,
A Report to the People" by
Don Whitehead

62-500-1-1 ✓
ENCLOSURE

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8 of them all in this oil-and-Indian kingdom was William K. Hale,
banker, cattleman, merchant, politician and killer-by-proxy.

9 Throughout the Roaring Twenties there was no stranger case than
10 that of Hale, who became known as "King of the Osage Hills."

11 For twenty years, Bill Hale was a power above the law in Osage
12 County, growing rich from frauds and murders planned behind a front
13 of respectability. He didn't kill with his own hands. He hired his kill-
14 ers. If anyone talked too much . . . well, there were ways to shut him
15 up. Nobody had ever proved that Bill Hale had done anything wrong.

16 Before the turn of the century, Bill Hale had left his family's ranch
17 near Greenville, Texas, and drifted into the "bandit hills" of Osage
18 County. This was rough, broken country where outlaws hid in the ra-
19 vines and caves, safe from pursuit until they were ready to ride again.
20 Hale had no trouble making friends.

21 He lived in a tent for a time, scratching out a living by trading with
22 the Indians. Curiously, when an Indian reported some of his cattle
23 missing in one part of the county, Hale would turn up in another part
24 with quantities of fresh meat for sale.

25 One day Hale went to collect a small bill from an Indian customer,
26 only to find the man had just died. This wasn't misfortune for Hale—
27 it was opportunity knocking for the first time.

28 Hale saw a lawyer and arranged to have a lien filed against almost
29 everything the Indian had owned, including land, cattle and household
30 possessions. It was sheer robbery, and the Indian's relatives prepared
31 to fight the claim. But out of the badlands came Hale's friends to swear
32 the Indian rightfully owed Hale the money. Yes, sir, they had heard
33 Bill Hale plenty of times demanding payment from the Indian. More-
34 over, the Indian had acknowledged the debt. There wasn't a shred of
35 documentary proof to support the claim, but Hale won his case.

36 After that it was easy. Rarely did an Indian die that there wasn't
37 a claim of some kind against his property, filed either by Hale or by
38 some other white man.

39 Then came the deluge of wealth for Osage County. Drillers struck
40 oil and almost overnight the Osage Indians became the richest people
41 per capita on earth. By reason of the "head rights" granted by the fed-
42 eral government to some 2,200 full-blooded Osage Indians, they were
43 eligible to share the royalties paid on each gallon of oil pumped from
44 their reservation. And there were the bonuses, too, from the lease sales.
45 When an Osage died, his "head right" was passed on to his heirs. In
46 this manner some Indians had more than one share in the tribe's
47 pooled income.

48 Suddenly these Indians who had lived in poverty were fabulously
49 wealthy. They bought huge houses and then spent most of their time

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in tents in the back yard. Grocery bills of more than \$1,000 a month for one family were not uncommon. They vied with each other to see who could get the largest car. One Indian went to Oklahoma City and bought a new, shiny hearse with glass sides. He liked to ride through the countryside and admire the scenery from the depths of a comfortable rocking chair. The hearse was driven by a high-priced uniformed chauffeur.

The Osages were like children released in a vast new wonderland. But it was a wonderland that was to bring them misery, and even death.

The swindlers, gamblers, prostitutes, pimps and touts moved in to share the Osage wealth. White men married Indian women solely to get their hands on the oil money. Others developed a sudden "concern" for the Osages' welfare, and arranged to have themselves named legal guardians with control over their wards' money. Loan sharks charged exorbitant interest rates. Salesmen asked, and received, outrageous prices for their merchandise. Some Indians protested bitterly. But there were few to listen.

Bill Hale prospered as the Indians prospered. By 1920 the one-time cowpoke had moved from his tent in the badlands into control of a 50,000-acre ranch stocked with cattle and fine horses. He controlled a bank in Fairfax, and owned part interest in a mercantile store and an undertaking establishment. Whenever a full-blooded Osage died, Bill Hale prospered in some fashion.

The number of unsolved murders of Indians increased. They found Charlie Whitehorn with two bullet holes in his forehead. Joe Yellow Horse died frothing at the mouth and Bill Stetson, the great Osage roper, and Nina Smith, both full-bloods, died violently. Folks said it was poisoned whiskey.

Barney McBride, a white oil man, was enraged by the scandalous treatment of his Indian friends. The tribal chiefs appealed to him to help put a stop to the thievery and the murder and McBride set out for Washington to make a protest. His body, horribly mutilated, was found stuffed in a culvert near Meadows, Maryland. He died before filing the protest.

Joe (Gray Horse) Bates died, too, and Bill Hale produced a deed to his lands. When George Bigheart died, Hale allegedly had an argument at his deathbed over a deed which Hale claimed had been made to him. George Bigheart's lawyer was reported to have said the deed was fraudulent. The lawyer later fell—or was thrown—from a train. He was ground to death by the wheels.

Then the "King of the Osage Hills" got the most brilliant idea of his life. He must have wondered why the scheme hadn't occurred to him